UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	02-15	Total Pages	50

First Named Inventor or Application Identifier

ALEXANDER et al.

Title	Pressure Support System with Active Noise Cancellation

Express Mail Label No.	EV 196252765 US

US PTO 10705534
17510
11/10/03

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification   [*Total Pages 23*]
(preferred arrangement set forth below)
-Descriptive Title of the Invention
-Cross References to Related Applications
-Statement Regarding Fed sponsored R & D
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings *(if filed)*
-Detailed Description
-Claim(s)
-Abstract of the Disclosure

3. ☒ Drawing(s) *(35 U.S.C. § 113)* [*Total Sheets 4*]

4. ☒ Oath or Declaration   [*Total Pages 6*]

    a. ☒ Newly executed (original or copy)

    b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))
      for continuation/divisional with Boxes 19 and 20 completed)
      [*Note Box 5 below*]

      i. ☐ <u>DELETION OF INVENTOR(S)</u>
      Signed statement attached deleting
      inventor(s) named in the prior application,
      see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

    c. ☐ Unsigned

5. ☐ Incorporation By Reference *(useable if Box 4b is checked)*
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the
disclosure of the accompanying application and is
hereby incorporated by reference therein.

6. ☒ Application Data Sheet per 37 C.F.R. § 1.76

[*Total Pages 3*]

7. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. § 119(e)/120/365(c) based on the following provisional, nonprovisional, and/or PCT internation applications.

	Application No.	Filing Date
(1)	60/425,638	November 12, 2002
(2)		
(3)		
(4)		

8. ☒ Prior application is assigned to <u>RIC Investments, Inc.</u> by Assignment recorded <u>May 19, 2003</u> Reel <u>014076</u> Frame(s) <u>0471</u>.

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)

10. ☐ 37 C.F.R. § 3.73(b) Statement   ☐ Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document *(if applicable)*

12. ☒ Information Disclosure   ☒ Copies of IDS Citations
Statement (IDS)/PTO-1449

13. ☐ Preliminary Amendment *(to be entered before calculating fees)*

14. ☒ Return Receipt Postcard
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☒ Certificate of Mailing by Express Mail

17. ☒ Non-publication Request and Cert. under 35 U.S.C.
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).

18. ☐ Other: _____

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19. **If a CONTINUING APPLICATION,** check appropriate box and supply the requisite information:

☐ Continuation   ☐ Divisional   ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application Information: Examiner: _____   Group/ArtUnit: _____

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21. CORRESPONDENCE ADDRESS

Customer No.   **30031**

Name	Michael W. Haas	Reg. No.	35,174
Signature	*Michael W. Haas*	Date	November 10, 2003

RI-102 (Rev. 09/2003)

FEE TRANSMITTAL
(Effective 10/01/2003)

Application Number	Not Yet Assigned
Filing Date	November 10, 2003
First Named Inventor	ALEXANDER et al.
Confirmation Number	Unknown
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	02-15

"Express Mail" Label No. EV 196252765 US

TOTAL AMOUNT OF PAYMENT $ 1,252.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: **50-0558**

Deposit Account Name: **Respironics, Inc.**

☒ Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 1.19 and 1.20

☐ Charge the Issue Fee set forth in 37 C.F.R. § 1.18

2. ☒ Payment Enclosed:

Check (Check No. 1176)

FEE CALCULATION *(fees effective 10/01/00)*

1. FILING FEE

Large Entity Fee ($)	Small Entity Fee ($)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) $ 770.00

2. CLAIMS

		Extra Claims	Fee from Below	Fee Paid
Total Claims	35	- 20 * 15	x 18 =	270.00
Ind. Claims	5	- 3 * 2	x 86 =	172.00
Multiple Dependent Claims add			290 =	0.00

* Enter Highest Number Previous Paid For

Large Entity Fee ($)	Small Entity Fee ($)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim
1204 86	2204 43	Reissue independent claims over original patent
1205 18	2205 9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) $ 442.00

FEE CALCULATION *(continued)*

3. ADDITIONAL FEES

Large Fee Code	Entity Fee ($)	Small Fee Code	Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or or cover sheet	
1811	100	1811	100	Certificate of Correction	
1812	2,520	1812	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within first month	
1252	420	2252	210	Extension for response within second month	
1253	950	2253	475	Extension for response within third month	
1254	1,480	2254	740	Extension for response within fourth month	
1255	2,010	2255	1,005	Extension for response within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,330	2453	665	Petition to revive unintentionally abandoned application	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1814	110	2814	55	Statutory Disclaimer	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of property)	40.00
1809	770	2809	385	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1801	770	2801	385	Request for Continued Examination	

Other Fee (specify) _____

SUBTOTAL (3) $ 40.00

SUBMITTED BY

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	*Michael W. Haas*	Date: November 10, 2003	Deposit Account Number: 50-0558

BJ-104 A (Rev. 10/03)

Certificate of Mailing by "Expr ss Mail"

EV 196252765 US   November 10, 2003
_____   _____
"Express Mail" label number   Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

> Mail Stop Patent Application
> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450.

Michael W. Haas
_____
Signature of person mailing correspondence

Michael W. Haas
_____
Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)	First Named Inventor	ALEXANDER et al.	
	Title	Pressure Support System with Active Noise Control	
	Atty Docket Number	02-15	
	Express Mail Label No.: EV 196252765 US		

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. §122(b).

11/10/03	*Michael W. Haas*
Date	Signature
724-387-5026	Michael W. Haas (Reg. No. 35,174)
Telephone number	Typed or printed name

This request must be signed in compliance with 37 CFR §1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**